

REMARKS

By this amendment, the specification has been amended to describe the reference numerals 1a, 1b, 2a, 2b and 9a, 9b so as to clearly refer to the reference numerals utilized in the drawings. Thus, applicants submit that by this amendment to the specification, the objection to the drawings should be overcome and amendment of the drawings is considered unnecessary.

As to the rejection of claims 1 - 7 under 35 USC 112, second paragraph, by the present amendment, each of independent claims 1, 2, 6 and 7 and dependent claim 4 have been amended to more positively set forth the method steps as well as to clarify the operational features of the present invention taken into consideration the points raised by the Examiner in setting forth the rejection under 35 USC 112, second paragraph. Thus, applicants submit that by the present amendment of claims 1 - 7, the rejection of claims 1 - 7 under 35 USC 112, second paragraph, should be overcome.

Applicants note that the Examiner has indicated that claims 1 - 6 would be allowable if rewritten or amended to overcome the rejection(s) under 35 USC 112, second paragraph, set forth in this Office Action and applicants submit that by the present amendment, such claims should now be in condition for allowance.

It is noted in the statement of reasons for indication of allowable subject matter, the Examiner indicates that the prior art of record does not show or fairly suggest a voltage in the range of at least 500 volts to 1500 volts is applied to the Faraday shield in plasma processing system or process. By the present amendment, in addition to clarifying features of claim 7, such claim has been amended to recite the feature of "applying a voltage of at least 500V to the Faraday

"shield" which the Examiner recognizes is not disclosed or taught in the prior art of record.

Turning to the rejection of claim 7 under 35 USC 102(b) as being anticipated by Doi et al (JP 2000-323298-A) cited by the applicants, this rejection is traversed insofar as it is applicable to the present claims and reconsideration and withdrawal of the rejection are respectfully requested.

As to the requirements to support a rejection under 35 USC 102, reference is made to the decision of In re Robertson, 49 USPQ 2d 1949 (Fed. Cir. 1999), wherein the court pointed out that anticipation under 35 U.S.C. §102 requires that each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. As noted by the court, if the prior art reference does not expressly set forth a particular element of the claim, that reference still may anticipate if the element is "inherent" in its disclosure. To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Moreover, the court pointed out that inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

Irrespective of the position set forth by the Examiner, applicants note that as pointed out above, as now recited in claim 7, a voltage of at least 500V is applied to the Faraday shield for cleaning of an inner wall of the vacuum vessel in which the cleaning operation is based on the number of foreign matters detected. Applicants submit that such features, including at least the voltage feature now recited, as

recognized by the Examiner patentably distinguishes over Doi et al such that claim 7 should also be considered allowable at this time.

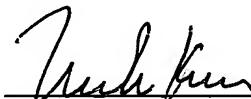
In view of the amendments and remarks, applicants submit that claims 1 - 7 should now be in condition for allowance and issuance of an action of a favorable nature is courteously solicited.

Also submitted herewith is an information disclosure statement together with the appropriate fee and consideration of the documents submitted is respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.41295VX1), and please credit any excess fees to such deposit account.

Respectfully submitted,

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